

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

CAROLYN AND AVROHAM
DEUTSCH,

Plaintiffs,

vs.

USAA SAVINGS BANK,

Defendant.

Case No. 3:16-CV-01936-FLW-DEA

**DEFENDANT'S NOTICE OF
SETTLEMENT AND
WITHDRAWAL OF PENDING
MOTION FOR SUMMARY
JUDGMENT (DOC 23)**

Defendant USAA Savings Bank (“USAA SB”) submits this Notice of Settlement, advising the Court that Plaintiffs and USAA SB have reached a settlement of this matter.

Based on the settlement, USAA SB hereby withdraws its pending Motion for Summary Judgment (Doc 23) filed on March 24, 2017.

The parties are currently finalizing the terms of settlement and expect that a Notice of Dismissal will be filed within thirty (30) days.

Date: March 31, 2017

Respectfully submitted,

BENESCH, FRIEDLANDER, COPLAN
& ARONOFF, LLP

s/ Kevin M. Capuzzi

Kevin M. Capuzzi (NJ #173442015)
411 Hackensack, Avenue, 3rd Floor
Hackensack, New Jersey 07601
Telephone: 302.442.7063
Facsimile: 302.442.7012
kcapuzzi@beneschlaw.com

David M. Krueger (*Pro Hac Vice*)
200 Public Square, Suite 2300
Cleveland, Ohio 44114-2378
Telephone: 201.363.4500
Facsimile: 216.363.4588
dkrueger@beneschlaw.com

*Attorneys for Defendant USAA Savings
Bank*

CERTIFICATE OF SERVICE

I hereby certify that on March 31, 2017, a copy of the foregoing *Notice of Settlement and Withdrawal of Pending Motion for Summary Judgment (Doc 23)* was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

s/ Kevin M. Capuzzi

Attorney for Defendant USAA Savings
Bank